

Regular Meeting

September 29, 2003  
12:30 p.m.

The regular meeting of the Municipal Civil Service Commission convened on Monday, September 29, 2003, at 12:30 p.m. with Priscilla Tyson, Grady Pettigrew and Mary Jo Hudson present.

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RE: *Review and approval of minutes from the August 25, 2003, regular meeting.*

The minutes were approved as written.

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RE: *Review of the results of the pre-hearing conferences for the following appeals:*

- a) *Anthony Williams vs. Columbus Public Schools, Appeal No. 03-BA-0012. Custodian II – 5-day Suspension – hearing scheduled for November 10, 2003.*
- b) *Robert Cuccio vs. Columbus Public Schools, Appeal No. 03-BA-0009. Account Clerk – Discharge – hearing scheduled for December 1, 2003.*
- c) *Terry Hopewell vs. Columbus Public Schools, Appeal No. 03-BA-0006. Bus Driver – Discharge – hearing scheduled for November 3, 2003.*
- d) *Barbara Horton-Alomar vs. Department of Public Safety, Appeal No. 03-CA-0016, Police Sergeant – Discharge – hearing scheduled for October 27, 2003.*

PRESENT: Theresa Lynn Carter, Deputy Executive Director

Lynn Carter appeared before the Commissioners and reported on four pre-hearing conferences heard prior to today's meeting.

Anthony Williams received a five-day suspension from his position of Custodian II at the Columbus Public Schools. Mr. Williams has not replied to attempted contacts from Thomas C. Drabick, Jr., OAPSE. Larry Braverman, Columbus Public Schools, estimates his case would take no more than two hours.

Robert Cuccio was discharged from his position of Account Clerk with Columbus Public Schools. Mr. Cuccio also has not replied to attempted contacts from Thomas C. Drabick, Jr., OAPSE. Mr. Braverman, Columbus Public Schools, estimates his case would take one afternoon.

Terry Hopewell was discharged from his position of Bus Driver with Columbus Public Schools. Mr. Hopewell has also not replied to attempted contacts from Thomas C. Drabick, Jr., OAPSE. Larry Braverman, Columbus Public Schools, will submit his witness list and documents by Friday, October 3, 2003.

Barbara Horton-Alomar was discharged from her position of Police Sergeant from the Department of Public Safety, Division of Police. This case has been scheduled for two days, October 27 and 28 and both attorneys believe the case will be finished within the two days. Both attorneys submitted witness statements.

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RE: *Request of the Civil Service Commission staff to revise Rule XV(D)(1), regarding military leaves of absence, to ensure conformance with federal requirements.*

PRESENT: Theresa Lynn Carter, Deputy Executive Director

Revisions to this Rule were requested to bring it into compliance with the federal law relative to re-employment of military individuals to their civilian jobs once their military duty has been completed. The language changes in the Rule were based upon a review of the federal statute and also a review of the language by the City Attorney's office.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Review of the Findings and Recommendation of the Trial Board hearing held on July 14, 2003 and continued on August 26, 2003: Darryl Thompson vs. Columbus Public Schools - Appeal No. 02-BA-0021.*

The Commissioners adopted the recommendation of the Trial Board to affirm the action of the appointing authority terminating Mr. Darryl Thompson from the position of Fire Safety Equipment Worker at the Columbus Public Schools.

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RE: *Columbus Public Schools Classification actions.*

No Columbus Public Schools classification actions were submitted this month.

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RE: *Request of the Civil Service Commission staff to approve the specification review for the classification Human Resources Director (U) with no revisions (Class Code 0130).*

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented the Commission's request to approve the specification review for Human Resources Director (U) with no revisions. In accordance with Civil Service Commission policy, any classification that has not been reviewed during the past five years shall be reviewed and revised if needed. This classification was last reviewed in July of 1998. There is currently one incumbent in this classification.

Based upon information received from the department, no proposed revisions are requested at this time. It was therefore recommended that the classification specification be approved with no changes.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Request of the Civil Service Commission staff to approve the specification review for the classification Deputy Director (Chief Negotiator) [U] with no revisions (Class Code 0122).*

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented the Commission's request to approve the specification review for Deputy Director (Chief Negotiator) [U] with no revisions. In accordance with Civil Service Commission policy, any classification that has not been reviewed during the past five years shall be reviewed and revised if needed. This classification was last reviewed in November of 1998. There is currently one incumbent in this classification.

Based upon information received from the department, no proposed revisions are requested at this time. It was therefore recommended that the classification specification be approved with no changes.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Request of the Civil Service Commission staff to approve the specification review for the classification Medical Services Reimbursement Specialist with no revisions (Class Code 0815).*

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented the Commission's request to approve the specification review for Medical Services Reimbursement Specialist with no revisions. In accordance with Civil Service Commission policy, any classification that has not been reviewed during the past five years shall be reviewed and revised if needed. This classification was last reviewed in June of 1998. There are currently eight incumbents in this classification.

Medical Services Reimbursement Specialist was reviewed as part of a more comprehensive project that may impact a significant number of the classifications in this Job Family. Because this classification may undergo a major revision as a result of this project within the next six months, no revisions were proposed at this time.

It was therefore recommended that the review of the specification for the classification Medical Services Reimbursement Specialist be approved with no changes.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Request of the Civil Service Commission staff to revise the specification for the classification Public Health Quality Assurance Coordinator (Class Code 1747).*

PRESENT: Jeanne Gallagher, Personnel Analyst II

This item was deferred.

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RE: *Request of the Civil Service Commission staff to revise the specification for the classification Radio Dispatcher, retitle it to read Service Dispatcher and amend Rule XI accordingly (Class Code 0813).*

This item was deferred.

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RE: *Request of the Civil Service Commission staff to revise the specification for the classification Fire Deputy Chief (Class Code 3085).*

PRESENT: John Swinger, Personnel Analyst II

John Swinger presented the Commission's request to revise the specification for the classification Fire Deputy Chief as part of the Civil Service Commission's effort to review all classifications every five years. Fire Deputy Chief was created in 1993 and was last reviewed in 1998. There are currently four incumbents assigned to the Department of Public Safety, Division of Fire.

This classification was revised because the current labor contract between the International Association of Fire Fighters and the City of Columbus established an educational requirement for candidates taking promotional examinations for the ranks of Fire Battalion Chief and Fire Deputy Chief. Also, additional deputy chief position was created in 2002 with substantially different responsibilities than the other three positions. The result of these two changes required changes to the definition, examples of work and the minimum qualifications.

The definition was revised to reflect the newly created position. Revisions to the examples of work were recommended to reflect the major responsibility of the newly created position to oversee all aspects of EMT training and overseeing the maintenance, quality and proper dissemination of patient care reports. The minimum qualifications were revised to incorporate the new minimum education requirements of completion of 60 semester hours or 90-quarter hours from an accredited college in the years 2003 through 2006 and in the year 2007 and beyond, possession of a baccalaureate degree.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Request of the Civil Service Commission staff to revise the specification for the classification Fire Battalion Chief (Class Code 3087).*

PRESENT: John Swinger, Personnel Analyst II

John Swinger presented the Commission's request to revise the specification for the classification Fire Battalion Chief as part of the Civil Service Commission's effort to review all classifications every five years. Fire Battalion Chief was created in 1966 and was last reviewed in 1998. There are currently thirty incumbents assigned to the Department of Public Safety, Division of Fire.

The only revision to the specification was to the minimum qualifications portion of the specification. The current labor contract between the International Association of Fire Fighters and the City of Columbus established an educational requirement for candidates taking promotional examinations for the ranks of Fire Battalion Chief and Fire Deputy Chief.

The minimum qualifications were revised to incorporate the new minimum education requirements of completion of 60 semester hours or 90-quarter hours from an accredited college in the years 2003 through 2006 and in the year 2007 and beyond, possession of a baccalaureate degree.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Request of the Civil Service Commission staff to revise the specification for the classification Criminalist I, designate the examination type as Qualifying Noncompetitive, extend the probationary period to 365 days and to amend Rule XI accordingly (Class Code 1911).*

PRESENT: Michael Maloney, Personnel Analyst II

Michael Maloney presented this request as a result of a request from the Department of Public Safety to review the current examination for Criminalist I. The Department indicated they have experienced difficulty in filling position vacancies from current eligible lists as well as having organizational issues related to the entire class series. The current specification for Criminalist I was last reviewed in 1998 and there are currently three incumbents in this job classification.

A job analysis was conducted as part of the new test development project for this job class and based upon that analysis, the following revisions were recommended. It was recommended that the definition language be revised to read "responsible for performing entry level analyses" instead of the previous language "responsible for assisting in the performance of". Revisions to the examples of work were recommended to better describe typical duties associated with each of the various disciplines (physical, chemical and biological). It was recommended that the guidelines for class use be removed since the proposed definition sufficiently indicates the relative position of the job class within the series as well as the degree of supervision received. The minimum qualifications were recommended for revision due to the fact that specific positions are often best filled by individuals possessing specific knowledge (for example, an individual completing coursework in general and organic chemistry would best serve the drug chemistry and alcohol and toxicology analysis functions). Revisions to the knowledge, skills and abilities were also recommended as a result of the job analysis. It was further

recommended that the probationary period be increased from 270 days to 365 days in order to provide sufficient time to properly train and evaluate a probationary employee's performance. It was recommended that the examination type be changed from competitive to qualifying noncompetitive. Candidates will be required to pass a common exam as well as the subtest or subtests that they select when applying to take the exam. The agency could then select specific individuals from among those who have shown competence on the subtest related to the specific vacancy being filled.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Request of the Civil Service Commission staff to convert the current competitive, banded eligible list for Criminalist I to a qualifying noncompetitive eligible list (Class Code 1911).*

PRESENT: Michael Maloney, Personnel Analyst II

Michael Maloney presented this request as a result of the expected adoption of the revision to the specification for the classification Criminalist I (changing the examination type from competitive to qualifying noncompetitive). Staff recommended that the existing list of forty-two tested eligibles, established just six months ago, be converted to a qualifying noncompetitive list and certified as such for future vacancies.

Because of the how recently this list was established and the significant number of qualified, interested candidates still eligible for consideration via the list, it was requested that the current list be converted to the new examination type rather than void it and require a new examination administration. Since all eligibles on the list have been tested and passed the examination, the only change in the process would be the elimination of the prescribed order of consideration associated with banding. Ultimately this change will enable the department to better match candidates with specific formal education and/or training with the varied positions as they become available.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Request of the Civil Service Commission staff to revise the specification for the classification Criminalist II (Class Code 1912).*

PRESENT: Michael Maloney, Personnel Analyst II

Michael Maloney presented this request as a result of a request from the Department of Public Safety. The Department indicated they are experiencing difficulty in filling position vacancies from current eligible lists as well as organizational issues related to the entire class series. There are currently six incumbents in the Criminalist II job class.

Based upon a review of the classification series it was recommended that the definition for Criminalist II be revised to more accurately describe the level of work typically performed by job incumbents as well as to better differentiate the level of work from that typical of a Criminalist I. Revisions to the examples of work were proposed to better describe typical duties associated with each of the various disciplines. The minimum qualifications were revised to better enable the matching of individuals with positions, to meet the requirements of Federal DNA typing programs and to provide consistency with the Criminalist I specification. Revisions to the knowledge, skills and abilities section of the specification were proposed to reflect progression and continuity throughout the class series. No revisions to the 365-day probationary period or noncompetitive examination type were recommended.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Request of the Civil Service Commission staff to create the specification for the classification Criminalist III, assign a probationary period of 365 days, designate the examination type as noncompetitive and amend Rule XI accordingly.*

PRESENT: Michael Maloney, Personnel Analyst II

Michael Maloney presented this request to create a specification for the classification of Criminalist III as a result of a review of the entire Criminalist job series. The Department of Public Safety requested the class series review in an effort to ensure the effective accomplishment of the objectives for which these classifications were intended. The need was articulated for the creation of a classification that would act as a subject matter expert for a given discipline as well as to assume day-to-day supervisory responsibilities over the staff Criminalists working within the given discipline. The Commission therefore requested the creation of a Criminalist III to fulfill these needs.

The definition was written to include the responsibility for serving as a subject matter expert and supervisor of assigned staff within a specialized forensic discipline (alcohol & toxicology and drug chemistry, serology and DNA, firearms, tool marks and trace evidence and handwriting and document examination). Examples of work were proposed to describe typical duties and responsibilities of the classification. Since the classification is being created to serve a bona fide operational need – quality assurance within each of the forensic disciplines – it was recommended that a guidelines for class use be included to limit this classification to one position for each discipline. It was recommended that the minimum qualifications be set to include a bachelor's degree in forensic science, chemistry, biology or closely related physical or natural science and five years of forensic laboratory experience. A master's degree may be substituted for one or two years of experience. The knowledge, skills and abilities were proposed to reflect progression and continuity throughout the class series. The combination of required technical expertise and work experience supported the recommendation for a noncompetitive examination with a probationary period of 365 days.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Request of the Civil Service Commission to revise the specification for the classification Crime Laboratory Manager (Class Code 1915).*

PRESENT: Michael Maloney, Personnel Analyst II

Michael Maloney presented the Commission's request to revise the specification for the classification Crime Laboratory Manager pursuant to a request by the Department of Public Safety for a review of the entire Criminalist class series in an effort to ensure the effective accomplishment of the objectives for which these classifications were created.

No revisions to the definition were recommended. In light of the proposal to create a Criminalist III classification that will assume direct supervisory and quality control coordination responsibilities within a forensics discipline, revisions to the examples of work were recommended. The minimum qualifications section of the specification were revised to reflect increasing levels of required experience and to provide consistency throughout the classification series. Revisions to the knowledge, skills and abilities were recommended to retain consistency throughout the class series. No revisions to the 365-day probationary period or noncompetitive examination type were recommended.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Request of the Civil Service Commission staff to revise the specification for the classification Police Sergeant (Class Code 3066).*

PRESENT: Gloria Urban, Personnel Analyst II

Gloria Urban presented the Commission's request to revise the specification for the classification Police Sergeant as part of the Civil Service Commission's effort to review all classifications

every five years. This classification was last updated in 1998. There are currently 229 incumbents assigned to the Department of Public Safety.

No revisions to the definition, minimum qualifications, probationary period or examination type were recommended. Revisions to the examples of work were recommended to more accurately reflect the specific duties of the Police Sergeant. One addition “general knowledge of interview procedures” was added to knowledge, skills and abilities section of the specification.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: *Residency Hearing Reviews.*

No residency hearing reviews were conducted this month.

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RE: *Personnel Actions.*

No personnel actions were submitted this month.

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RE: *Administrative/Jurisdictional Reviews.*

No administrative or jurisdictional reviews were submitted this month.

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RE: *Continuation of the hearing on the merits of the appeal of Anthony Williams from the action of Department of Public Safety, Division of Police, suspending him for 240 hours from the position of Police Officer – Appeal No. 02-CA-0017.*

Alan Varhus appeared for the City of Columbus and Terry Sherman appeared on behalf of the appellant, Anthony Williams, in this continued hearing from June 30, 2003.

Lieutenant Christopher D. Bowling – Mr. Varhus called Lieutenant Bowling as his first witness. The witness had been previously sworn in and Mr. Varhus examined him on direct. Lieutenant Bowling was cross-examined by Mr. Sherman, examined on re-direct by Mr. Varhus, answered questions from the Commissioners and was excused.

Sergeant Jack King, Jr. – President Tyson swore in this witness. Mr. Varhus examined Sergeant King on direct and Mr. Sherman cross-examined the witness. Sergeant King answered questions from the Commissioners and was excused.

Police Officer Anthony Williams – Mr. Sherman called the appellant as his next witness and examined him on direct. Officer Williams was cross-examined by Mr. Varhus and was excused.

Attorneys Varhus and Sherman moved to admit their exhibits and both gave their closing arguments.

President Tyson advised a decision on this matter would be announced at the October 29, 2003, Regular Commission Meeting.

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The hearing was adjourned at 5:53 p.m.

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Priscilla R. Tyson, Commission President

October 27, 2003  
Date